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SUBJECT: AEC PLENARY OF MAY 1, 2008

1. (U) SUMMARY: The 31st ordinary plenary session of the AEC was held May 1, 2008. The two sides (SPLM and NCP) sparred over recent incidents around Abyei, while CDA Fernandez stressed the need to grant UNMIS forces freedom of movement in the Abyei area to reduce tensions (an expression supported around the table). The AEC's working groups reported that they are beginning to solicit comments from the parties on their draft reports that will be used to compile the AEC's Mid-Term Evaluation. END SUMMARY

ABYEI DISCUSSION: CONCERN OVER RENEWED VIOLENCE

2. (U) The Netherlands Ambassador, as Coordinator of the Three Areas Working Group, led a discussion of Abyei by calling attention to recent outbreaks of violence in the area. He asked whether the two parties are satisfied with the early warning system in place, and whether they were making good use of UNMIS forces. CDA Fernandez stressed the need for UNMIS to be able to patrol freely in the area. Allowing this unbiased third party free access is the best measure the two parties can take to reduce tensions, he said. During the meeting, other members of the international community echoed these sentiments.

3. (U) In response, the SPLM rep insisted that only the implementation of the Abyei Protocol could end tensions in the area. Abyei residents are worried about their future, while they see their natural resources being taken away from them. Until the Abyei issue is resolved through full implementation of the Protocol, these tensions and problems will only continue to fester, he said. The NCP representative spoke up to say, in typically legalistic fashion, that the areas where the recent outbreaks of violence took place were not in Abyei area per se, but rather just over the border in South Kordofan (in fact some of the fighting where SPLA units are deployed, such as in Kharsana, are well north of the 1/1/56 border).

4. (U) The Dutch Ambassador pressed the two sides for their views as to when an Administrator would be named for the area, but failed to receive a response. The NCP reiterated that the Presidency must appoint the Administrator, a step delayed by the need to define the Abyei area boundaries. He noted suggestions to appoint an Administrator without defining the northern border of the Abyei area, which was the only one at issue. The SPLM insisted that unless the borders are first determined, naming an Administrator would only generate more confusion in the troubled area.

5. (U) Chairman Plumbly brought the Abyei discussion to a close by noting the concern expressed around the table that USMIS be employed in situations of tension such as Abyei. He also noted that the Dutch Coordinator of the Three Areas Working Group would soon be scheduling a working visit to Abyei, and he urged both parties to take part in that event.

CENSUS

6. (U) Discussion then turned to an update of the national census

currently being carried out. This part of the AEC's discussion is being reported SEPTTEL.

WORKING GROUP REPORTS

¶7. (U) CDA Fernandez kicked off reports by AEC working group coordinators, noting that the Wealth Sharing Working Group is putting final touches to its "Elements" for use by the AEC's primary drafter in cobbling together a unified text for the Mid-Term Evaluation (MTE). Those "elements" will be distributed shortly to the two parties for comments. Chairman Plumbly stressed that at this point the two parties should only furnish general reactions to content, rather than engaging in line-by-line "haggling" over text.

¶8. The other working group coordinators noted various upcoming events within their groups. In particular, the Italians (Power Sharing Working Group) noted that they are working to schedule a meeting on May 26 or 27 with the caucus of the National Assembly. The purpose of this event will be to hear from them a status report on legislation related to CPA implementation. All the working groups reported that they were now beginning to seek comments on their Elements for the MTE.

AFRICAN UNION UPGRADES ITS CPA SUPPORT EFFORTS

¶9. The only item raised under "Any Other Business" was an introductory statement by newly-arrived Ambassador Mahmoud Kane from the African Union. The Ambassador announced that the AU is upgrading its local representation. It recently opened an AU Liaison Office in Sudan with the purpose of providing support to the CPA process. The office includes a presence in Juba as well as Khartoum, he said.

¶10. (SBU) COMMENT: The May 1 plenary provided an opportunity for
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both sides to vent over the two issues currently providing the most heat in the CPA process: the ongoing Census, and the tensions in Abyei. For the first time in many months, the SPLM was ably represented at AEC, by SPLM Deputy SG Yassir Arman, who aggressively presented his party's position. On Abyei, we will have to wait and see whether the international community's plea to allow UNMIS to do their job in the area will be heard, but we are not optimistic. On the Mid-Term Evaluation, currently devouring the lion's portion of AEC energies, the outlook is good. The working groups have kept up with the ambitious schedule outlined by Chairman Plumbly. Our discussions with other coordinators show that all are attempting to produce a report free of finger-pointing, concentrating instead on recognizing progress and recommending steps to move the process forward. We are guardedly hopeful that the two sides will approach the effort in this spirit, and not get bogged down in haggling over wording. Inshallah.

FERNANDEZ